

Interview Summary	Application No. 10/774,197	Applicant(s) ABELS ET AL.	
	Examiner John J. Wilson	Art Unit 3732	

All participants (applicant, applicant's representative, PTO personnel):

- (1) John J. Wilson. (3) _____
 (2) Jonathan W. Richards. (4) _____

Date of Interview: 30 March 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference
 c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____

Claim(s) discussed: 20, 24 and 30.

Identification of prior art discussed: Kurz.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.


Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: It was agreed that the proposed amendment, see attachment, would place the application in condition for allowance. Proposed amended claim 30 would be allowable over the prior art.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

ATTACHMENT:

☒ Proposed Claim amended


 John J. Wilson
 Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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*For Interview
of 3/30/05
only
Not to be entered.*

1. Cancel Claim 1. (Previously Presented) ~~An orthodontic bracket comprising:
—— a bracket base adapted to receive at least one arch wire, the bracket base comprising at least one type of metal, plastic or ceramic;
a hinge; and
a ligation cover hingedly attached to the bracket base such that the cover is movable about the hinge between an open, non-ligating position relative to the bracket base and a closed, ligating position in which an arch wire is ligated when received by the bracket base;
the ligation cover comprising at least one type of metal;
the ligation cover covering substantially all of an upper surface of the bracket base when the ligation cover is in the closed, ligating position;
wherein the hinge does not significantly bias the ligation cover such that at least a portion of the cover is able to selectively rotate about the hinge over a substantial angle of rotation between the open, non-ligating position and the closed, ligating position.~~
2. (Previously Cancelled) ~~An orthodontic bracket as defined in claim 1, wherein the ligation cover is not significantly biased toward the bracket base, wherein the ligation cover is selectively moveable about the hinge over a substantial angle of rotation between the open, non-ligating position and the closed, ligating position.~~
3. (Currently Amended) An orthodontic bracket as defined in claim 1 20, wherein the ligation cover is attached to the bracket base by film hinge comprises an elastomeric hinge material.
4. Cancel Claim 4. (Original) ~~An orthodontic bracket as defined in claim 1, wherein the ligation cover is attached to the bracket base by a film hinge.~~
5. Cancel Claim 5. (Original) ~~An orthodontic bracket as defined in claim 1, wherein the ligation cover is attached to the bracket base by a mechanical hinge.~~

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6. Cancel Claim 6. (Original) ~~An orthodontic bracket as defined in claim 5, wherein the mechanical hinge comprises at least one of a pin hinge, a rivet, or a screw.~~

7. Cancel Claim 7. (Original) ~~An orthodontic bracket as defined in claim 5, wherein the mechanical hinge comprises interlocking pieces.~~

8. (Currently Amended) An orthodontic bracket as defined in claim ~~1~~ 20, wherein the ligation cover is attached to the bracket base by film hinge comprises a fiber hinge material.

9. (Currently Amended) An orthodontic bracket as defined in claim ~~1~~ 20, further including a latch mechanism for selectively locking the ligation cover to the bracket base in the closed, ligating position.

10. (Currently Amended) An orthodontic bracket as defined in claim ~~1~~ 20, further comprising opening means for urging the ligation cover to remain in the open, non-ligating position when in the open, non-ligating position.

11. (Original) An orthodontic bracket as defined in claim 10, the opening means comprising a spring.

12. (Original) An orthodontic bracket as defined in claim 10, the opening means comprising an elastomeric material having memory.

13. (Currently Amended) An orthodontic bracket as defined in claim ~~1~~ 20, further comprising closing means for urging the ligation cover to remain in the closed, non-ligating position when in the closed, non-ligating position.

14. (Original) An orthodontic bracket as defined in claim 13, the closing means comprising a spring.

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15. (Original) An orthodontic bracket as defined in claim 13, the closing means comprising an elastomeric material having memory.

16. (Currently Amended) An orthodontic bracket as defined in claim ~~1~~ 20, wherein the bracket base comprises a rigid plastic material.

17. (Currently Amended) An orthodontic bracket as defined in claim ~~1~~ 20, the bracket base comprising a plurality of archwire slots, at least two of which are at least partially occluded by the ligation cover when in the closed, ligating position.

18. (Currently Amended) An orthodontic bracket as defined in claim ~~1~~ 20, the bracket base comprising plastic.

19. (Previously Cancelled) ~~An orthodontic bracket as defined in claim 1, the ligation cover covering substantially all of an upper surface of the bracket base when the ligation cover is in the closed, ligating position.~~

20. (Previously Presented) An orthodontic bracket comprising:

a bracket base having an arch wire slot adapted to receive at least one arch wire, the bracket base comprising at least one type of plastic, ceramic or metal;

a ligation cover integrally attached to the bracket base so as to be movable between an open, non-ligating position relative to the bracket base, in which no portion of the ligation cover remains directly over the arch wire slot, and a closed, ligating position in which the ligation cover at least partially covers the arch wire slot, the ligation cover comprising at least one type of metal; and

a film hinge comprising a region of reduced cross-sectional thickness integrally interconnecting the bracket base and ligation cover that permits the ligation cover to be selectively rotated about the film hinge over a substantial angle of rotation between the open, non-ligating position and the closed, ligating position.

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21. ~~Cancel Claim 21. (Previously Presented) An orthodontic bracket comprising:~~
~~—— a bracket base adapted to receive at least one arch wire, the bracket base comprising at least one type of plastic, ceramic or metal;~~
~~—— a ligation cover integrally attached to the bracket base so as to be movable between an open, non-ligating position relative to the bracket base and a closed, ligating position in which an arch wire is ligated when received by the bracket base, the ligation cover comprising at least one type of metal; and~~

~~a film hinge comprising a region of reduced cross-sectional thickness integrally interconnecting the bracket base and ligation cover that does not significantly bias the ligation cover toward the closed, ligating position when in the open, non-ligating position.~~

22. (Currently Amended) An orthodontic bracket comprising:

 a bracket base having an arch wire slot adapted to receive at least one arch wire, the bracket base comprising at least one type of plastic, ceramic or metal; and

 a ligation cover hingedly attached to the bracket base such that the cover is movable about a hinge between an open, non-ligating position, in which no portion of the ligation cover remains directly above the arch wire slot, and a closed, ligating position, in which the ligation cover at least partially covers the arch wire slot,

 the ligation cover comprising at least one type of metal, and

 the ligation cover covering substantially all of an upper surface of the bracket base when the ligation cover is in the closed, ligating position; and

a film hinge comprising a region of reduced cross-sectional thickness interconnecting the bracket base and ligation cover.

23. (Currently Amended) An orthodontic bracket as defined in claim 22, wherein the ~~ligation cover is attached to the bracket base by the film hinge comprises~~ an elastomeric hinge material.

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24. Cancel Claim 24. (Original) ~~An orthodontic bracket as defined in claim 22, wherein the ligation cover is attached to the bracket base by a film hinge comprising a region of reduced cross-sectional thickness.~~

25. Cancel Claim 25. (Original) ~~An orthodontic bracket as defined in claim 22, wherein the ligation cover is attached to the bracket base by a mechanical hinge.~~

26. Cancel Claim 26. (Original) ~~An orthodontic bracket as defined in claim 25, wherein the mechanical hinge comprises at least one of a pin, a rivet, or a screw.~~

27. Cancel Claim 27. (Original) ~~An orthodontic bracket as defined in claim 25, wherein the mechanical hinge comprises interlocking pieces.~~

28. (Currently Amended) An orthodontic bracket as defined in claim 22, wherein the ~~ligation cover is attached to the bracket base by~~ film hinge comprises a fiber hinge material.

29. Cancel Claim 29. (Previously Added) ~~An orthodontic bracket comprising:
—— a bracket base comprising a plurality of arch wire slots adapted to receive an arch wire in each slot, the bracket base comprising at least one type of metal, plastic or ceramic; and~~

~~a ligation cover hingedly attached to the bracket base such that the cover is movable about a hinge between an open, non-ligating position relative to two or more of the archwire slots of the bracket base and a closed, ligating position in the ligation cover at least partially covers two or more of the arch wire slots,~~

~~the ligation cover comprising at least one type of metal,~~

~~the ligation cover covering substantially all of an upper surface of the bracket base when the ligation cover is in the closed, ligating position.~~

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30. (Currently Amended) An orthodontic bracket comprising:

a bracket base adapted to receive at least one arch wire, the bracket base comprising at least one type of plastic or ceramic; and

a ligation cover hingedly attached to the bracket base by a film hinge comprising a region of reduced cross-sectional thickness such that the cover is movable about a hinge between an open, non-ligating position relative to the bracket base, in which no portion of the ligation cover remains directly above the arch wire slot, and a closed, ligating position in which the arch wire is ligated relative to the bracket base, the ligation cover comprising at least one type of metal; and

a latch mechanism for selectively locking the ligation cover over the bracket base in the closed, ligating position, the latch mechanism providing the ligation cover with a single locked position relative to the bracket base.

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